

# COPY

Docket No. 2942B/R

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Applicant: Filippini et al.  
Serial No.: 09/490,759  
Filed: January 24, 2000  
For: PARTIALLY DEHYDRATED REACTION PRODUCT, PROCESS FOR MAKING SAME, AND  
EMULSION CONTAINING SAME  
Art Unit:  
Examiner:

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

1. Pursuant to 37 C.F.R. 1.97 and 1.98, and in compliance with 37 C.F.R. 1.56, the Office's attention is directed to the patents, pending applications, publications and other information listed on the attached PTO-1449. A copy of each listed document is enclosed except for: (a) pending applications or (b) those previously cited or submitted to the Office in the following application(s) upon which this application relies for an earlier filing date under 35 U.S.C. 120:

Serial No.:

Filing Date:

Regarding any document, publication or other information for which a date is not given on the attached PTO-1449, Applicant(s) believe(s) the same may qualify as "prior" art to this application and should be treated accordingly, although Applicant(s) reserve(s) the right to contest the prior art status of any document, publication or information, should issue arise.

2. Regarding each listed document that is not in the English language, an English-language translation accompanies this Statement as indicated on the attached PTO-1449 or a concise explanation of the relevance of the document is set forth in the following document(s):

- (a)       Copy of each English language version of a search report indicating the degree of relevance found by the foreign office of each document being submitted from the search report.
- (b)       Attachment entitled "Concise Explanation of Relevance of Non-English Language Documents".

3. Pursuant to 37 C.F.R. 1.97(b) this Statement is being filed (one must be checked):

- (a) X Within 3 months of the filing date or date of entry into the National Stage.
- (b)       Before the mailing date of a first Office Action on the merits. If this Statement is not filed before the mailing date of a first Office Action on the merits, the required certification is given below or, in the absence thereof, the Office is authorized to charge the required fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 12-2275 for consideration of this Statement.

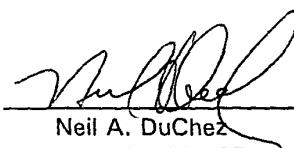
- (c)  Before the mailing date of a first Office Action on the merits after a first or second submission under 37 C.F.R. 1.129(a).
- (d)  After the period set forth in 37 C.F.R. 1.97(b) but before the mailing date of either a final action or a notice of allowance.
- (1)  The required certification is given below, or
- (2)  Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(p) for consideration of this Statement, or
- (3)  Charge the fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 12-2275
- (e)  After the mailing date of either a final action or a notice of allowance, but before payment of the issue fee. Petition hereby is made for consideration of this Statement and the required certification is indicated below.
- (1)  Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(i)(1), or
- (2)  Charge the fee set forth in 37 C.F.R. 1.17(i)(1) to Deposit Account No. 12-2275.

4. Certification (if applicable)

- (a)  The undersigned hereby certifies that each item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this Statement.
- (b)  The undersigned hereby certifies that no item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the undersigned's knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than 3 months prior to the filing of this Statement.

5. The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 12-2275.

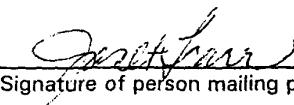
Respectfully Submitted,

By   
Neil A. DuChez  
Reg. No. 26,725

CERTIFICATE OF MAILING (37 C.F.R. 1.8(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below, with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

3/28/00  
Date

Janet Farr  
(Type or print name of person mailing paper)  
  
Signature of person mailing paper

Form PTO-1449 (Modified)										Atty Docket No.:2942	Serial No.:09/490,759	
<b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b> <small>(Use several sheets if necessary)</small>										Applicant: Filippini et al.		
										Filing Date: 01/24/00	Group:	

## REFERENCE DESIGNATION U.S. PATENT DOCUMENTS

Examiner's Initials	Document Number									Date	Name	Class	Subclass	Filing Date If Appropriate
AA	4	7	0	8	7	5	3			11/24/87	Forsberg	149	2	
AB	4	7	7	0	8	0	3			09/13/88	Forsberg	252	75	
AC	4	8	4	4	7	5	6			07/04/89	Forsberg	149	2	
AD	5	0	4	7	1	7	5			09/10/91	Forsberg	252	356	
AE	5	3	8	7	2	0	7			02/07/95	Dyer et al.	604	369	
AF	5	4	0	1	3	4	1			03/28/95	Forsberg et al.	149	46	
AG	5	5	1	2	0	7	9			04/30/96	Jahnke et al.	71	64.08	
AH	5	5	1	8	5	1	7			05/21/96	Jahnke et al.	71	64.08	
AI	5	5	5	0	1	6	7			08/27/96	DesMarais	521	50	
AJ	5	5	0	0	4	5	1			03/19/96	Goldman et al.	521	64	
AK	5	8	5	8	0	5	5			01/12/99	Jahnke et al.	71	27	
AL	5	8	7	2	1	4	9			02/16/99	Dralle-Voss et al.	51	533	
AM	5	9	2	0	0	3	1			07/06/99	Jahnke	149	2	
AN														

## FOREIGN PATENT DOCUMENTS

Examiner's Initials		Document Number								Date	Country	Class	Subclass	Translation		
														Yes	No	
AO		9	6	2	5	3	8	4		22/08/96	EP				Abstract	
AP																
AQ																

## OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

AR	S. Ganguly et al.; "Surfactant-electrolyte interactions in concentrated water-in-oil emulsions: FT-IR spectroscopic and low-temperature differential scanning calorimetric studies; <i>Colloids and Surfaces</i> , 65 (1992) pp. 243-256.
AS	U.S. Application Serial No. 09/490,645, filed January 24, 2000.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Information Disclosure Statement PTO-1449 (Modified)

The identification of any reference is not intended to be, and should not be understood as being, an admission that such publication, in fact, constitutes "prior art" within the meaning of applicable law since, for example, a given reference may have a later effective date than first seems apparent or the reference may have an effective date which can be anticipated. The "prior art" status of any reference is a matter to be resolved during prosecution.

# COPY

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner For Patents, Washington, D.C. 20231 on May 7, 2001

Edward J. Milbrada 40,000  
Name of Attorney/Agent Registration No.  
Edward J. Milbrada  
Signature of Attorney/Agent

Case 7925

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of :  
BRYN (NMN) HIRD ET AL. :  
Serial No.: 09/490,654 : Group Art Unit: 171.1  
Filed: JANUARY 24, 2000 : Examiner:  
For: FOAM MATERIALS & HIGH INTERNAL :  
PHASE EMULSIONS MADE USING :  
OXIDATIVELY STABLE EMULSIFIERS :

### INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner For Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, record is being made below in a Form PTO-1449 of documents which the Patent Office may wish to consider in connection with examination of the above-identified patent application. As provided in §1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. §1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO-1449 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. §1.56(b).

1.  37 C.F.R. §1.97 (b)(1) - U.S. Direct (within 3-months of filing a regular application or converted provisional)

This information disclosure statement, submitted under 37 C.F.R. §1.97 (b)(1), is being filed within three months of the filing date of a national application. Therefore, no fee is believed to be due.

2.  37 C.F.R. §1.97 (b)(2) - Via PCT (within 3 mo. of Nat'l Stage Entry)

This information disclosure statement, submitted under 37 C.F.R. §1.97 (b)(2), is being filed within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application. Therefore, no fee is believed to be due.

3.  37 C.F.R. §1.97 (b)(3) - (>3 mo. after filing direct or nat'l stage entry, but before 1<sup>st</sup> O.A.)

This information disclosure statement is being submitted under 37 C.F.R. §1.97 (b)(3). Applicants have not received an Office Action on the merits in the present application. Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter is enclosed to facilitate charging of the fee, if necessary.

**THE FOLLOWING IS ADDITIONAL INFORMATION PERTAINING TO (2) OR (3) MARKED WITH AN (X) ABOVE.**

(a)  The Notification of Acceptance of this Application Under 35 U.S.C. §371 indicates that both a copy of the International Search Report and copies of the references cited therein are present in the national stage file. In accordance with MPEP §1893.03(g), it is respectfully requested that the Examiner note the consideration of these references in the first Office Action via the PTO-892 form.

(b)  The Notification of Acceptance of this Application Under 35 U.S.C. §371 indicates that a copy of the International Search Report is present in the national stage file. Copies of the references cited in that report are enclosed. It is respectfully requested that the Examiner note the consideration of these references in the first Office Action via the PTO-892 form.

(c)  The Notification of Acceptance of this Application Under 35 U.S.C. §371 does not indicate that a copy of the International Search Report and copies of the references cited are present in the national stage file. Copies of the International Search Report and references are attached.

4.  37 C.F.R. §1.97(c) with fee payment - (use after 1<sup>st</sup> Office Action & before Final Office Action or Notice of Allowance)

This information disclosure statement is being submitted under 37 C.F.R. §1.97(c). Applicant(s) have not received a final action under 37 C.F.R. §1.113 or a notice of allowance under 37 C.F.R. §1.311 as of the date of this submission. Applicant(s) elect to pay the fee set forth in 37 C.F.R. §1.17(p). Please charge the fee set forth in 37 C.F.R. §1.17(p) to Deposit Account Number 16-2480 in the name of The Procter & Gamble Company. A duplicate copy of this letter is enclosed to facilitate the charging of the fee.

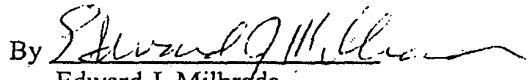
ADDITIONAL ITEMS TO BE NOTED BY THE EXAMINER:

[X] Copies of the documents are enclosed. It is respectfully requested that the enclosed documents be carefully considered by the Examiner and made of record in this case.

[ ] Applicants also respectfully request the Examiner to consider and make of record the copending applications listed on the attached page.

Respectfully submitted,

For: BRYN (NMN) HIRD

By   
Edward J. Milbrada  
Agent for Applicant(s)  
Registration No. 40,090  
Tele. No. (513) 634-6971

May 3 2000  
The Procter & Gamble Company  
Winton Hill Technical Center  
6300 Center Hill Avenue  
Cincinnati, OH 45224

Sheet 1 of 1

LIST OF DOCUMENTS CITED BY APPLICANTS <i>(Use several sheets if necessary)</i>	ATTY. DOCKET NO. 7925	SERIAL NO. 09/490,654
	APPLICANT BRYN (NMN) HIRD ET AL.	
	FILING DATE 1/24/00	GROUP 1711

## U. S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

	Z. Bhumgarra, "Polyhipe Foam Materials as Filtration Media," <u>Filtration &amp; Separation</u> , March 1995, pp. 245-251.
	D. C. Walsh et al., "PolyHIPE Foams: Production, Characterisations, and Performance as Aerosol Filtration Materials," <u>J. Aerosol Sci.</u> 1996, Vol. 27, pp. 5629-5630.
	S. Ganguly et al., "Surfactant-electrolyte interactions in concentrated water-in-oil emulsions: FT-IR spectroscopic and low-temperature differential scanning calorimetric studies," <u>Colloids and Surfaces</u> , 65 (1992) pp. 243-256.

EXAMINER \_\_\_\_\_ DATE CONSIDERED \_\_\_\_\_

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

# COPY

PATENT

2942R/B

I hereby certify that this correspondence is being deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231, on

August 3, 2001

Date of Deposit

Nancy S. Dedek

Nancy S. Dedek

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Brian B. Filippini et al.

Serial No. 09/490,759

Examiner:

Filed: January 24, 2000

Art Unit: 1754

For: Partially Dehydrated Reaction Product, Process for Making Same and Emulsion Containing Same

Commissioner for Patents  
Washington, D.C. 20231

### SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 CFR §1.97 and 1.98 and in compliance with 37 CFR §1.56, the Office's attention is directed to the patents, publications and other information listed on the attached PTO-1449. A copy of each listed document is enclosed. The Examiner is requested to consider these documents.

U.S. 2,868,781 (Gaertner et al., 1/13/59)

U.S. 2,973,353 (Gaertner, 2/28/61)

U.S. 3,256,321 (Durr, Jr., et al., 6/14/66)

U.S. 3,331,776 (Krukziener, 7/18/67)

U.S. 3,956,154 (Marolewski et al., 5/11/76)

U.S. 4,029,675, (Williams et al., 6/14/77)

U.S. 4,119,553 (Cane et al., 10/10/78)  
U.S. 4,289,896 (Buxbaum, 9/15/81)  
U.S. 4,374,034 (Coleman, 2/15/83)  
U.S. 4,596,886 (Hasegawa et al., 6/24/86)  
U.S. 4,839,068 (Lange, 6/13/89)  
U.S. 4,888,441 (Calbo, Jr., et al., 12/19/89)  
U.S. 5,080,817 (Meyer, 1/14/92)  
U.S. 5,650,158 (Eierdanz et al., 7/22/97)  
PCT Publication WO 94/00508 (Carpenter et al., 6 Jan. 1994)

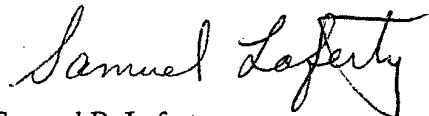
The Information Disclosure Statement is being filed after the term referred to in 37 CFR §1.97(b)(1) but before the mailing of a first office action on the merits in 37 CFR §1.97(b)(3).

The identification of any reference in this Supplemental Disclosure Statement is not intended to be, and should not be understood as being, an admission that such reference, in fact, constitutes "prior art" within the meaning of applicable law. The "prior art" status of any reference is a matter to be resolved during prosecution.

The filing of this Supplemental Information Disclosure Statement shall not be construed to be an admission that the information cited in this statement, is, or is considered to be, material to patentability as defined in 37 CFR §156(b).

Applicants believes that no fee is required for the filing of this document. However, if any fees are due, such as would occur if this document is mailed after the mailing of a first office action, the Commissioner is hereby authorized to charge such fees to the our Deposit Account No. 12-2275.

Respectfully submitted,  
THE LUBRIZOL CORPORATION



Samuel B. Laferty  
Registration No. 31,537

29400 Lakeland Blvd.  
Wickliffe, Ohio 44092-2298  
Telephone: 440-347-1541  
Facsimile: 440-347-1110

<b>FORM PTO-1449</b> (Rev. 6-89)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. <b>2942R/B</b>	SERIAL NO. <b>09/490,759</b>
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use several sheets if necessary)		APPLICANT <b>Brian B. Filippini et al.</b>	
		FILING DATE <b>January 24, 2000</b>	GROUP <b>1754</b>

## **U.S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**COPY**

PATENT

2942R/B

I hereby certify that this correspondence is being deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on

September 19, 2002

Date of Deposit

Nancy S. Dedek

Nancy S. Dedek

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:

Brian B. Filippini et al.

Serial No. 09/490,759

Examiner: TOOMER, Cephia D.

Filed: January 24, 2000

Art Unit: 1714

For: PARTIALLY DEHYDRATED REACTION PRODUCT, PROCESS FOR MAKING  
SAME, AND EMULSION CONTAINING SAME

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Assistant Commissioner for Patents  
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 CFR 1.97 and 1.98 and in compliance with 37 CFR §1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO-1449. A copy of each listed document is enclosed. The Examiner is requested to consider these documents.

The Information Disclosure Statement is being filed after the period specified in paragraph (b) of §1.197 but before issue of a final action on the merits. The undersigned hereby states (37CFR 1.97(e)(1) that each item of information contained in this information disclosure statement

Supplemental Information Disclosure Statement  
U.S. Serial No. 09/490,759

was first cited in any communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of this information disclosure statement. A copy of the Search Report for corresponding PCT International Application No. PCT/US01/01939 dated 27 June 2002 is enclosed herewith.

The filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in this statement, is, or is considered to be, material to patentability as defined in 37 CFR §156(b).

A fee of \$180.00 under §1.97(d) for the filing of this information disclosure statement after receipt of a Notice of Allowance but before the payment of the issuance fee is to be charged to The Lubrizol Corporation Deposit Account No. 12-2275. The Commissioner is also hereby authorized to charge any additional fees in connection with the filing of this document to said deposit account. A duplicate copy of this document is enclosed for such purpose.

Respectfully submitted,  
THE LUBRIZOL CORPORATION



Samuel B. Laferty  
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